

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Janice K. Goode,

Debtor.

Case No. 17-10327-mdc

Chapter 13

Janice K. Goode,

Plaintiff,

v.

Calvary SPV I, LLC,

Defendant.

Adversary No.

Complaint

Plaintiff Janice K. Goode, by and through her undersigned counsel, alleges the following:

Jurisdiction and Venue

1. This Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334.
2. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(E).
3. The Plaintiff has standing to bring this action pursuant to 11 U.S.C. § 542(a) and Fed. R. Bankr. P. 7001(1).
4. Venue is proper pursuant to 28 U.S.C. § 1409(a).
5. The Plaintiff consents to the entry of a final order or judgment by the court if it is determined that the court, absent consent of the parties, cannot enter a final order or judgment consistent with U. S. Const. art. III.
6. The Plaintiff need not pay the filing fee for this action because they are the debtor in the associated bankruptcy case. Judicial Conference of the United States, *Bankruptcy Court Miscellaneous Fee Schedule*, <https://www.uscourts.gov/services-forms/fees/bankruptcy-court-miscellaneous-fee-schedule> (last visited December 8, 2023).

Parties

7. Plaintiff Janice K. Goode is an individual who at all relevant times is and was a resident of the state of Pennsylvania.

8. Defendant Calvary SPV I, LLC is and was at all relevant times a corporation with a principal place of business located at 1 American Lane, Suite 220, Greenwich, CT 06831-2200.

Claim for Relief

9. The Plaintiff hereby re-alleges and incorporates all preceding paragraphs as if fully set forth here.

10. On January 17, 2023, the Plaintiff filed a voluntary petition for relief under chapter 13 of Title 11, United States Code (“Petition Date”), thereby initiating bankruptcy case number 17-10327-mdc in the U.S. Bankruptcy Court for the Eastern District of Pennsylvania.

11. On May 4, 2017, the Defendant filed a proof of claim in the Plaintiff’s bankruptcy case alleging an unsecured debt in the amount of \$22,012.88. Exhibit A.

12. Beginning on June 8, 2018, and continuing through and including January 10, 2023, the chapter 13 trustee made several payments to the Defendant in accordance with the Plaintiff’s bankruptcy plan, totaling \$3,103.26. Exhibit B.

13. On January 26, 2023, the Court entered an order disallowing the Defendant’s claim as an unenforceable debt. Exhibit C.

14. The Plaintiff demands turnover in the amount of \$3,103.26 from the Defendant pursuant to 11 U.S.C. § 542.

Request for Relief

NOW, THEREFORE, the Plaintiff requests entry of judgment against the Defendant in the amount of \$3,103.26 plus attorney fees and costs, and for such other and further relief in her favor as may be necessary and proper under the law.

Date: December 8, 2023

CIBIK LAW, P.C.
Counsel for Plaintiff
Janice K. Goode

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